

In re Application of Williamson et al.
Application No. 10/613,241

REMARKS

The Pending Claims

Claim 1 has been amended, and claims 15-33 have been canceled, without prejudice or disclaimer of the subject matter recited therein. Thus, claims 1-14 currently are pending in the application.

Summary of the Office Action

The Office Action rejects claims 1-22 under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent No. 4,897,989 (Gray) (hereinafter "the Gray '989 patent").

Discussion of the Section 103 Rejection

As noted above, the Office Action rejects claims 1-22 as allegedly obvious over the Gray '989 patent. Applicants respectfully traverse this rejection.

As acknowledged in the Office Action, the Gray '989 patent discloses a novel pile fabric and a method of making the same employing a three-ply yarn containing one textured yarn and two non-textured yarns (see, e.g., the Abstract of the Gray '989 patent). By way of contrast, the present application is directed to providing a pile fabric that addresses the various deficiencies of prior pile fabrics without the use of textured fibers or yarns (see, e.g., the present specification at paragraph [0004]), which can add complexity and additional expense to the manufacture of the fabric, as well as increased potential for the occurrence of single end defects and non-uniform dyeing. Accordingly, claim 1 has been amended to provide that at least a portion of the tufts of the fabric consist essentially of groups of continuous filament non-textured fibers. Thus, as opposed to the pile fabric disclosed in the Gray '989 patent, at least a portion of the tufts of the fabric do not contain textured fibers.

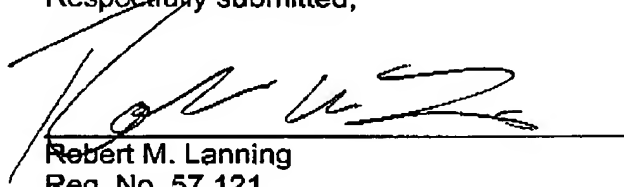
Furthermore, the Gray '989 patent teaches that the textured fibers are an essential component of the disclosed three-ply yarn. Therefore, one of ordinary skill in the art, having read the Gray '989 patent, would not have been motivated to modify the Gray '989 patent in such a way as to eliminate the textured fiber from the yarn used to form the pile fabric disclosed therein. Accordingly, Applicants respectfully submit that the invention defined by the pending claims cannot properly be considered *prima facie* obvious over the Gray '989 patent. The Section 103 rejection over the Gray '989 patent, therefore, should be withdrawn.

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Conclusion

In view of the foregoing, the application is considered in proper form for allowance, and the Examiner is respectfully requested to pass this application to issue. If, in the opinion of the Examiner, a telephone interview would expedite prosecution of the instant application, the Examiner is invited to call the undersigned.

Respectfully submitted,



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